

AMENDMENTS TO THE DRAWINGS

The attached sheets of drawings include changes to FIG. 1 and FIG. 2. These sheets, which include FIG. 1 and FIG. 2, replace the original sheets including FIG. 1 and FIG. 2.

In particular, the drawings are amended to change the reference character for the remote client from 170 to 175, since the reference character of the DC Plant is 170.

Attachment: Replacement Sheets

REMARKS**1. Present Status of Patent Application**

In response to the Office Action dated June 1, 2005, Applicant respectfully requests reconsideration based on the following amendments and remarks. Applicant respectfully submits that the claims as presented are in condition for allowance.

2. Allowable Subject Matter

Applicant appreciates the Examiner's indication that claims 5-6 would be allowable if rewritten in independent form including all the limitations of the base claims and any intervening claims. In that it is believed that every rejection has been overcome, it is respectfully submitted that each of the claims that remains in the case is presently in condition for allowance.

3. Examiner Interview

Applicant first wishes to express his sincere appreciation for the time that Examiners Pretlow and Michael Nghiem spent with Applicant's Attorney, Charles Griggers, during a telephone discussion on August 18, 2005 regarding the outstanding Office Action. Applicant believes that certain important issues were identified during the telephone discussion. In particular, Applicant's Attorney stated that the claims, as presented in this response, are believed to be allowable and an expedited examination would be appreciated. Examiner Pretlow indicated a new search would still have to be performed, but that he would take this in consideration in performing the additional examination. Thus, Applicant respectfully requests that Examiner Pretlow carefully consider this response and the amendments.

4. Rejection of Claims 1-4 and 7-9 Under 35 U.S.C. § 102(b)

Claims 1-4 and 7-9 have been rejected under 35 U.S.C. § 102(b) as being anticipated by *Burnett* (U.S. Patent 6,067,030). For a proper rejection of a claim under 35 U.S.C. § 102, the cited reference must disclose all elements/features/steps of the claim. See, e.g., *E.I. du Pont de Nemours & Co. v. Phillips Petroleum Co.*, 849 F.2d 1430, 7 U.S.P.Q.2d 1129 (Fed. Cir. 1988). Applicant respectfully traverses this rejection.

a. Claim 1

As provided in independent claim 1, Applicant claims:

A remote generator fuel monitoring system, comprising:
graphical user interface logic operable to provide a user with a plurality of periodically updated data points associated with a fuel monitor coupled to an AC plant, *wherein the graphical user interface logic is operable to generate a request for simulation of a commercial power failure at a site associated with the AC plant*; and

connection logic coupled to the graphical user interface logic, operable to connect to a monitoring server and receive the plurality of periodically updated data points associated with the fuel monitor, the monitoring server being coupled to a plurality of fuel monitors via a network.

(Emphasis Added).

Applicant respectfully submits that independent claim 1 is allowable for at least the reason that *Burnett* does not disclose, teach, or suggest at least the features “wherein the graphical user interface logic is operable to generate a request for simulation of a commercial power failure at a site associated with the AC plant,” as recited and emphasized above.

In expressing the reasons for the allowability of claim 5, the Office Action states that the prior art of record particularly *Burnett et al.* (US 6,067,030) does not teach the claim limitation of testing logic operable to receive feedback from the user and simulate a commercial power failure at a site associated with the AC plant.” Accordingly, Applicant respectfully submits that the cited art also does not teach or suggest the feature “wherein the graphical user interface logic is operable to generate a request for simulation of a commercial power failure at a site associated with the AC plant,” as recited in claim 1. Therefore, *Burnett* does not anticipate claim 1, and claim 1 is allowable for at least this reason.

b. Claims 2-4 and 7-9

Because independent claim 1 is allowable over the cited art of record, dependent claims 2-4 and 7-9 (which depend from independent claim 1) are allowable as a matter of law for at least the reason that the dependent claims contain all the elements and features of independent claim 1. *See In re Fine*, 5 U.S.P.Q.2d 1596, 1600 (Fed. Cir. 1988). For at least this reason, claims 2-4 and 7-9 are allowable.

5. Rejection of Claims 10-34 Under 35 U.S.C. § 102(b)

Claims 10-34 have been rejected under 35 U.S.C. § 102(b) as being anticipated by *Paul* (U.S. Patent 5,332,977). For a proper rejection of a claim under 35 U.S.C. §102, the cited reference must disclose all elements/features/steps of the claim. *See, e.g., E.I. du Pont de Nemours & Co. v. Phillips Petroleum Co.*, 849 F.2d 1430, 7 U.S.P.Q.2d 1129 (Fed. Cir. 1988). Applicant respectfully traverses this rejection.

a. Claim 10

As provided in independent claim 10, Applicant claims:

A remote generator fuel monitoring system, comprising:
monitoring logic operable monitor at least one fuel monitor associated with at least one AC plant and receive a plurality of data signals associated with said at least one fuel monitor;
storage logic operable to store at least one boundary parameter associated with said at least one fuel monitor;
communication logic operable to receive the plurality of data signals and said at least one boundary parameter and provide the plurality of data signals and said at least one boundary parameter to a remote computer; and
testing logic operable to simulate a commercial power failure at a site associated with the at least one AC plant.

(Emphasis Added).

Applicant respectfully submits that independent claim 10 is allowable for at least the reason that *Burnett* does not disclose, teach, or suggest at least "testing logic operable to simulate a commercial power failure at a site associated with the at least one AC plant," as recited and emphasized above.

In expressing the reasons for the allowability of claim 5, the Office Action states that the prior art of record particularly *Burnett et al.* (US 6,067,030) does not teach the claim limitation of testing logic operable to receive feedback from the user and simulate a commercial power failure at a site associated with the AC plant." Accordingly, Applicant respectfully submits that claim 10 is allowable over the cited art for at least the reason that claim 10 includes "testing logic operable to simulate a commercial power failure at a site associated with the at least one AC plant," which is not taught or suggested by the cited art. Therefore, *Paul* does not anticipate claim 10, and the rejection should be withdrawn for at least this reason.

b. Claims 11-18

Because independent claim 10 is allowable over the cited art of record, dependent claims 11-18 (which depend from independent claim 10) are allowable as a matter of law for at least the reason that the dependent claims contain all the elements and features of independent claim 10. For at least this reason, claims 11-18 are allowable.

c. Claim 19

As provided in independent claim 19, Applicant claims:

A method for remotely monitoring a fuel monitor, comprising the steps of:
generating a command for simulating a commercial power failure at a site associated with an AC plant;
requesting a plurality of data signals associated with the fuel monitor coupled to the AC plant;
receiving the plurality of data signals associated with the fuel monitor; and
providing the plurality of data signals associated with the fuel monitor to a remote computer for display to a user.

(Emphasis Added).

Applicant respectfully submits that independent claim 19 is allowable for at least the reason that *Burnett* does not disclose, teach, or suggest at least the step of "generating a command for simulating a commercial power failure at a site associated with an AC plant," as recited and emphasized above.

In expressing the reasons for the allowability of claim 5, the Office Action states that the prior art of record particularly *Burnett et al.* (US 6,067,030) does not teach the claim limitation of testing logic operable to receive feedback from the user and simulate a commercial power failure at a site associated with the AC plant." Accordingly, Applicant respectfully submits that claim 19 is allowable over the cited art for at least the reason that claim 19 includes the step of "generating a command for simulating a commercial power failure at a site associated with an AC plant," which is not taught or suggested by the cited art. Therefore, *Paul* does not anticipate claim 19, and the rejection should be withdrawn for at least this reason.

d. Claims 20-26

Because independent claim 19 is allowable over the cited art of record, dependent claims 20-26 (which depend from independent claim 19) are allowable as a matter of law for at least the reason that the dependent claims contain all the steps and features of independent claim 19. For at least this reason, claims 20-26 are allowable.

e. Claim 27

As provided in independent claim 27, Applicant claims:

A computer readable medium having a program for remotely monitoring a fuel monitor, the program comprising the steps of:

generating a command for simulating a commercial power failure at a site associated with an AC plant;

requesting a plurality of data signals associated with the fuel monitor coupled to the AC plant;

receiving the plurality of data signals associated with the fuel monitor; and

providing the plurality of data signals associated with the fuel monitor to a remote computer for display to a user.

(Emphasis Added).

Applicant respectfully submits that independent claim 27 is allowable for at least the reason that *Burnett* does not disclose, teach, or suggest at least the step of "generating a request for simulation of a commercial power failure at a site associated with an AC plant," as recited and emphasized above.

In expressing the reasons for the allowability of claim 5, the Office Action states that the prior art of record particularly *Burnett et al.* (US 6,067,030) does not teach the claim limitation of testing logic operable to receive feedback from the user and simulate a commercial power failure at a site associated with the AC plant." Accordingly, Applicant respectfully submits that claim 27 is allowable over the cited art for at least the reason that claim 27 includes the step of "generating a request for simulation of a commercial power failure at a site associated with an AC plant," which is not taught or suggested by the cited art. Therefore, *Paul* does not anticipate claim 27, and the rejection should be withdrawn for at least this reason.

f. Claims 28-34

Because independent claim 27 is allowable over the cited art of record, dependent claims 28-34 (which depend from independent claim 27) are allowable as a matter of law for at least the reason that the dependent claims contain all the steps and features of independent claim 27. For at least this reason, claims 28-34 are allowable.

CONCLUSION

Any other statements in the Office Action that are not explicitly addressed herein are not intended to be admitted. In addition, any and all findings of inherency are traversed as not having been shown to be necessarily present. Furthermore, any and all findings of well-known art and official notice, or statements interpreted similarly, should not be considered well known, since the Office Action does not include specific factual findings predicated on sound technical and scientific reasoning to support such conclusions.

In light of the foregoing amendments and for at least the reasons set forth above, Applicant respectfully submits that all objections and/or rejections have been traversed, rendered moot, and/or accommodated, and that the pending claims are in condition for allowance. Favorable reconsideration and allowance of the present application and all pending claims are hereby courteously requested. If, in the opinion of the Examiner, a telephonic conference would expedite the examination of this matter, the Examiner is invited to call the undersigned agent at (770) 933-9500.

Respectfully submitted,


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